

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION, IOWA[751]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 8D.3(3)“b,” the Iowa Telecommunications and Technology Commission hereby gives Notice of Intended Action to amend Chapter 1, “Description of Organization,” Chapter 9, “Requests for Waiver of Network Use by Certified Users,” and Chapter 15, “Advisory Councils, Committees and Groups,” Iowa Administrative Code.

The proposed amendments reflect changes made in the organizational structure of the Iowa Communications Network; in the definition of “certified user”; and in the requirements for posting advisory councils’, committees’ and groups’ agendas, meeting notices and minutes on the Iowa Communications Network Web site.

Any interested person may make written comments or suggestions on the proposed amendments on or before August 28, 2012. Such written comments should be directed to Tamara Fujinaka, Government Relations Officer, Iowa Communications Network, First Floor, Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa 50319. E-mail may be sent to tami.fujinaka@iowa.gov.

Also, there will be a public hearing on August 29, 2012, beginning at 11 a.m. in the ICN Thompson Conference Room, Grimes State Office Building, 400 E. 14th Street, Des Moines, Iowa. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any person who plans to attend the public hearing and who may have special requirements, such as those related to hearing or mobility impairments, should contact the Commission and advise of special needs.

These amendments were approved at the July 19, 2012, meeting of the Iowa Telecommunications and Technology Commission.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code sections 8D.1, 8D.6, and 8D.9 and chapter 17A.

The following amendments are proposed.

ITEM 1. Amend subrules 1.5(1) and 1.5(2) as follows:

1.5(1) *Executive director.* The executive director or the commission’s designee administers the programs and services of the commission in compliance with the Iowa Code and the rules adopted by the commission. The executive director’s office is responsible for providing legislative liaison and public information functions, as well as providing administrative support to the commission. The executive director’s office provides information and education to the public about the commission and the fiberoptic network and maintains the commission’s Web site.

1.5(2) *Administrative elements.* In order to carry out the functions of the commission, the following divisions have been established:

a. ~~The business and governmental services~~ administrative division coordinates the activities between the engineers, individual sites, and authorized users. The division is responsible for providing cost estimates for services; tracking service requests; executing installation services; assisting authorized users in finding the best structure to meet the users’ needs; developing new products and services; maintaining price tables; and providing customer service and assistance. ~~The division is responsible for providing legislative liaison and public information functions as well as providing~~

~~administrative support to the commission. The division provides information and education to the public about the commission and the fiberoptic network and maintains the commission's Web site. The division is also responsible for maintaining the financial books and records of the commission, accounting, billing, asset inventory and management, personnel transactions, travel vouchers, claims for payments of goods and services, processing cash receipts, purchasing, and contracting activities, as well as coordination with the attorney general's office for legal counsel.~~

~~b. The finance division is responsible for maintaining the financial books and records of the commission, accounting, billing, asset inventory and management, personnel transactions, travel vouchers, claims for payments of goods and services, processing cash receipts, purchasing, and contracting activities, as well as coordination with the attorney general's office for legal counsel.~~

~~c. b. The network operations and engineering division is responsible for provisioning of video services, data/Internet services, and voice services for authorized users. The division is responsible for all operational aspects of the fiberoptic network. The division is responsible for the technical operation of the fiberoptic network, including research and development; network systems; agency information systems functions; and maintenance of a circuit database.~~

ITEM 2. Amend rule 751—9.1(8D), introductory paragraph, as follows:

751—9.1(8D) Request for waiver. A certified user is entitled to file a request for a waiver pursuant to Iowa Code section 8D.9(2). For the purposes of this chapter, “certified user” means an area education agency, community college, or regents institution, ~~or private college~~ that has certified with the commission that it is or will be a part of the network.

ITEM 3. Amend subrule 15.3(3) as follows:

15.3(3) *Provide notices of meetings and minutes of meetings.*

a. Each advisory council, committee or group shall prepare minutes of its meetings and submit the minutes to the commission within ~~30~~ 60 days of the date of the meeting for posting on the Iowa communications network Web site.

b. Each advisory council, committee or group shall provide notice of its meetings to interested parties identified by the commission or the advisory council, committee or group. An advisory council, committee or group shall submit an electronic agenda and notice to the ICN one week prior to a scheduled meeting for posting on the Iowa communications network Web site.